

In re application of:

Brasch et al.

Appl. No. 09/695,065

Filed: October 25, 2000

For:

Methods of Manipulating and

Sequencing Nucleic Acid Molecules Using Transposition

and Recombination

Confirmation No. 1682

Art Unit:

1634

Examiner:

Lu, Frank W.M.

Atty. Docket: 0942.5000001/RWE/BJD/T-M

Sixth Supplemental Information Disclosure Statement

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450 Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

The numbering on this Sixth Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Fifth Supplemental Information Disclosure Statement filed June 23, 2004, in connection with the above-captioned application.

Copies of documents AT125, AR126-AT126 and AR127 are not provided in accordance with the U.S. Patent and Trademark Office OG notice of October 19, 2004, which states: "the requirement in 37 C.F.R. § 1.98(a)(2)(iii) for a legible copy of the specification, including the claims, and drawings of each cited pending U.S. patent application (or portion of the application which caused it to be listed) is *sua sponte* waived where the cited pending application is stored in the USPTO's IFW system." A copy of each other document is provided.

The Examiner's attention is directed to the following co-pending U.S. Patent Applications, which are directed to related technical subject matter:

- U.S. Patent Application No. 10/877,952, Welch *et al.*, filed July 28, 2004 and cited herewith as document **AT125**;
- U.S. Patent Application No. 10/913,501, Chesnut *et al.*, filed August 9, 2004 and cited herewith as document **AR126**;
- U.S. Patent Application No. 10/921,265, Hartley et al., filed August 19, 2004 and cited herewith as document AS126;
- U.S. Patent Application No. 10/970,635, Hanson, filed October 22, 2004 and cited herewith as document AT126; and
- U.S. Patent Application No. 11/000,371, Chesnut *et al.*, filed December 1, 2004 and cited herewith as document **AR127**.

The identification of these U.S. Patent Applications is not to be construed as a waiver of secrecy as to these applications now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited applications and the art cited therein during examination.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached Form PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Brasch *et al.* Appl. No. 09/695,065

Applicants reserve the right to establish the patentability of the claimed invention over

any of the information provided herewith, and/or to prove that this information may not be prior

art, and/or to prove that this information may not be enabling for the teachings purportedly

offered.

This statement should not be construed as a representation that a search has been made,

or that information more material to the examination of the present patent application does not

exist. The Examiner is specifically requested not to rely solely on the material submitted

herewith.

This Information Disclosure Statement is being filed before the mailing of a first Office

Action after the filing of a Request for Continued Examination under 37 C.F.R. § 1.114. No

statement or fee is required.

It is respectfully requested that the Examiner initial and return a copy of the enclosed

Form PTO-1449, and indicate in the official file wrapper of this patent application that the

documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency,

or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Brian J. Del Buono

Attorney for Applicants

Registration No. 42,473

Date: CT 2003 1100 New York Avenue, N.W. Washington, D.C. 20005-3934

(202) 371-2600

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	AR	120			Cloning Using In Vitro Spring Harbor Laborato				ı," Genome
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	AR	124	Office Action fo	or U.S. Pat	ent Application No. 10	/820,133 ma	ailed or	n November	17, 2004
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	AT	125	U.S. Patent App	lication N	o. 10/877,952, Welch <i>et al</i>	, filed 07	7/28/2	004 (NOT P	UBLISHED)	
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Page 8 of 9

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Brasch et al.

Appl. No. 09/695,065

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and Recombination

Confirmation No. 1682

Art Unit:

1634

Examiner:

Lu, Frank W.M.

Atty. Docket: 0942.5000001/RWE/BJD/T-M

Seventh Supplemental Information Disclosure Statement

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450 Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Copies of documents AA20-AK20, AA21-AK21 and AA22 are not provided in accordance with the Changes To Support Implementation of the United States Patent and Trademark Office 21st Century Strategic Plan, effective October 21, 2004, which states "section 1.98(a)(2)(i) is amended to eliminate the requirement in paragraph (a)(2)(i) for a copy of each U.S. patent or U.S. patent application publication listed in an IDS in a patent application regardless of the filing date of the application." A copy of each other document is provided.

In accordance with 37 C.F.R. § 1.98(a)(3), Applicants' undersigned representative submits the following, in regards to non-English language documents **AL20** and **AM20** cited on Form PTO 1449:

Document AL20, French Patent Publication No. FR 2 670 502, is in the French language. Document AM20, PCT Patent Publication No. WO 92/10577, is in the French language. An unverified English language abstract of documents AL20 and AM20 is attached as document AS213.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached Form PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

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The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Brian J. Del Buono Attorney for Applicants Registration No. 42,473

			6		ATTY. DOCKET NO.		ICATION NO.	Page 1 of 14
		FORM P	PTO-1449	20 P	942.5000001/RWE/BJD/T-M	1 09/6	95,065	
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				08/08/1989	Stroman et al.	 		09/25/198
	AB20		355,231		Stroman et al.	 		05/22/198
	AC20	_ _	259,217	09/25/1990	Sanders et al.			
	AD20		51,513	09/19/1995	Maliga et al.			08/25/199
	AE20		554,182	08/05/1997	Wahl et al.	<u> </u>		06/07/199
	AF20		02/0068290	06/06/2002	Yarovinsky			05/31/200
<u></u>	AG20	200	02/0106797	08/08/2002	Miles et al.			03/12/200
	AH20	200	02/0182731	12/05/2002	Ji et al.	ļ		01/25/200
	AI20	200	03/0027289	02/06/2003	Farmer			04/05/200
	AJ20	200	03/0054555	03/20/2003	Farmer et al.			09/17/200
	AK20	200	03/0059900	03/27/2003	Farmer			01/17/200
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	AR	200	Recombinase Pr	ovokes Cardia" J. Clin. Inve	nbination in Postmitotic Cells ac-restricted, Site-specific Reest. 100:169-179, The Americ	arranger	nent in Adul	t Ventricula
	AS	200			"In vivo sequence requireme Macmillan Journals, Ltd. (19		e SV40 early	promoter
	AT	200		Translation	Mutations <u>In Vitro</u> and Puttin into Biotechnology, Ahmad, 1 (1982)			
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ATTY. DOCKET NO. APPLICATION NO. 0942.5000001/RWE/BJD/T-M 09/695,065 FORM PTO-1449 APPLICANT(S) Brasch et al. SEVENTH SUPPLEMENTAL FILING DATE ART UNIT INFORMATION DISCLOSURE STATEMENT October 25, 2000 1634 U.S. PATENT DOCUMENTS EXAMINER CLASS SUB-CLASS FILING DATE NAME INITIAL DOCUMENT NUMBER DATE Miles et al. 02/20/2003 08/14/2003 AA21 2003/0153055 02/07/2002 AB21 2003/0176644 09/18/2003 Byrd *et al*. 02/07/2003 AC21 2003/0220249 11/27/2003 Hackett et al. 11/22/2002 2004/0040053 02/26/2004 Nomura et al. AD21 03/26/2003 2004/0053412 AE21 03/18/2004 | Hartley et al. 10/08/2003 2004/0063207 04/01/2004 | Hartley et al. AF21 02/04/2000 6,720,140 04/13/2004 Hartley et al. AG21 04/02/2004 09/02/2004 Hartley et al. AH21 2004/0171156 AI21 2004/0171157 09/02/2004 Hartley et al. 04/08/2004 11/04/2004 | Bennett *et al*. 07/18/2003 AJ21 2004/0219516 03/10/2004 AK21 2004/0219673 11/04/2004 | Hartley et al. FOREIGN PATENT DOCUMENTS **EXAMINER** DATE , COUNTRY CLASS SUB-CLASS TRANSLATION INITIAL DOCUMENT NUMBER Yes **WIPO** AL21 WO 00/52027 09/08/2000 No Yes AM21 WO 00/52141 09/08/2000 | WIPO No Yes AN21 WO 01/25466 04/12/2001 **WIPO** No Yes **WIPO** WO 01/31039 05/03/2001 AO21 No Yes AP21 WO 01/42509 06/14/2001 **WIPO** No OTHER (Including Author, Title, Date, Pertinent Pages, etc.) Broach, J.R., "The Yeast Plasmid 2µ Circle," Cell 28:203-204, MIT (1982) AR <u>201</u> Cenatiempo, Y., "Prokaryotic gene expression in vitro: transcription-translation coupled AS 201 systems," *Biochimie* 68:505-515, Elsevier (1986) Christiansen, B., et al., "A Resolvase-Like Protein Is Required for the Site-Specific Integration of the Temperate Lactococcal Bacteriophage TP901-1," J. Bacteriol. 178:5164-ΑT 201 5173, American Society for Microbiology (September 1996) DATE CONSIDERED **EXAMINER EXAMINER**: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

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	AM22	2 W	O 02/08391	01/31/2002	WIPO				Yes No
	AN22	w	O 02/16594	02/28/2002	WIPO		·		Yes No
	AO22	w	O 02/46372	06/13/2002	WIPO				Yes No
	AP22	w	O 02/061034	08/08/2002	WIPO				Yes No
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	AS	202			ero, R.D., "Sequence-spec ci. USA 95:2152-2157, Na				
	AT	202			, "Engineering the Drosop Genetics 144:1693-1711				
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	AM23	V	/O 02/086144	10/31/2002	WIPO			Yes No
	AN23	W	/O 02/095055	11/28/2002	WIPO			Yes No
	AO23	V	O 03/025161	03/27/2003	WIPO			Yes No
	AP23	N	/O 03/044207	05/30/2003	WIPO			Yes No
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	AR	203	Gottesman, S., '18:415-441, An		gulation: Global Regulatory N , Inc. (1984)	etworks	," Ann. Rev.	Genet.
	AS	203	Guo, F., et al., "recombination s	Structure of Grants	Cre recombinase complexed ware 389:40-46, Nature Publish	rith DNA ing Gro	A in a site-sp up (Septemb	pecific per 1997)
	АТ	203	cut-and-paste m	echanisms to	"Transposition and site-specifical variety of genetic rearrangers B.V. (September 1997)	ic recomments,"	ibination: ad	apting DNA obiol. Rev.
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	AN24	w	O 04/013290	02/12/2004	4 WIPO			Yes No
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	AŘ	204	Hamer, D.H. an	d Walling, M	1., "Regulation In Vivo of a Clo	ned Ma		
	AS	204	domain structure	e and classifi	"The eukaryotic protein kinase ication," <i>FASEB J. 9:</i> 576-596, "Biology (May 1995)			
	AT	204	into a Bacterial	Chromosom	nient and Reversible Site-Specifie by Use of the FLP Recombination and Society for Microbiology.	ise: the	FLIRT Syst	
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	AR	205		i: Experie	J.A., "Plasmids as Epidemiologi nce at a University and Review o Chicago (1986)						
	AS	205	its dosage effect	ts on the g	er, J.E., "Isolation of the yeast reg galactose/melibiose regulon," <i>Pro</i> of Sciences (1982)						
	AT	205	a kil-kor System	a Associat	S.N., "Plasmid Transfer in Strepped with the Transfer Region of poor Microbiology (1987)						
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	AR	206			ity of yeast FLP recombinase in 975, Oxford University Press (nd rice prote	oplasts,"			
	AS	206	Biology: A Com	prehensive	t DNA Procedures in the Study <i>Treatise, Volume 3, Gene Expr</i> , D.M., eds., Academic Press, In	ession: T	The Producti	ion of RNA's,			
	АТ	206	Mayer, B.J. and Biol. 3:8-13, Els		D., "Signalling through SH2 ance (1993)	nd SH3 c	lomains," Tr	rends Cell			
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	AR	207	McKnight, S.L. Thymidine Kina	, "Functio ase Gene o	nal Relationships betwe of Herpes Simplex Virus	een Transcri s," <i>Cell 31</i> ::	ptiona 355-36	l Control Sig 5, MIT (198	gnals of the 32)		
	AS	207	Nunes-Düby, S.E., et al., "λ Integrase cleaves DNA in cis," EMBO J. 13:4421-4430, Oxford University Press (1994)								
	AT	207		et al., "Site-directed recombination in the genome of transgenic tobacco," Mol. aet. 223:369-378, Springer-Verlag (1990)							
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	AR	208	Vaccinia Topois	somerase ard -3896, The	n, S., "Hisitidine 265 Is nd Is Conserved in All American Society for	Eukaryotic	Type !	I Enzymes,"	J. Biol.		
	AS	208			mann, M., "Structural analysis of the actinophage ΦC31 attachment single:5187-5189, IRL Press (1991)						
	AT	208	Tyrosine Kinase	tal., "A Noncatalytic Domain Conserved among Cytoplasmic Protein- tes Modifies the Kinase Function and Transforming Activity of Fujinami P130 ^{gag-fps} ," Mol. Cell. Biol. 6:4396-4408, American Society for (1986)							
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	AS	209		n site," Pr	FLP recombinase of the oc. Natl. Acad. Sci. USA						
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	AR	210	Chromosome of	Streptomy	ecific Integration of the A vces parvulus upon Lysog robiology (1991)					
	AS	210	Escherichia coli	human, S., et al., "Characterization of Vaccinia Virus DNA Topoisome scherichia coli," J. Biol. Chem. 263:16401-16407, The American Socied Molecular Biology, Inc. (1988)						
	AT	210	Minimal DNA S	Substrate fo	Interaction of Vaccinia Vor Strand Cleavage In Vite Chemistry and Molecular I	ro," J. Bio	l. Che	m. 266:1137		
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	AR	211	Duplex DNA. M	Inimal Di	e-specific Interaction o NA Substrate for Strand nerican Society for Bio	d Cleavage	In Vitr	o," J. Biol. (Chem.	
	AS	211			o terminus of the yeast Acad. Sci. USA 81:5951					
	АТ	211	Stark, W.M., et Elsevier Science		ysis by site-specific rec	combinases,	" Tren	ds Genet. 8:	432-439,	
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					re-mediated site-specific						
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